IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1191 OF 2007
IN
SUMMARY SUIT NO.3191 OF 1987

M/s.Sirohi Metal Depot ...Plaintiff
vs.
M/s.Vijay Metal Rolling Mills ...Defendants

Mr.S.Nagvardia i/b M/s.Mehta & Co. for the Plaintiff

CORAM: A.S.OKA,J.
DATE : OCTOBER 8,2007

P.C.:

1. Heard learned counsel for the plaintiffs in support of the chamber summons. Affidavit of service is tendered on record today.

2. By this chamber summons, the plaintiffs are seeking permission to amend the suit for bringing on record certain subsequent events. Reliance is placed on the proceedings of the criminal case in which an application was made for compounding the case. It is pointed out that in terms of joint application made before the criminal court, the defendants paid a sum of Rs.40,000/- to the plaintiffs by a demand draft and a sum of Rs.60,000/- by a cheque. It is stated that the said cheque has been dishonoured though the demand draft was encashed. By the proposed amendment the plaintiffs desire to rely upon the aforesaid subsequent events.

3.The proposed amendment will not change the nature of the chamber summons. Accordingly, the chamber summons is made absolute in terms of prayer clauses (a) and (b). Amended plaint shall be served to the defendants within a period of four weeks from the date on which the amendment is carried out. The suit shall be set down on board on 29th November

2007.

JUDGE